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RE: 2002 Biennial Regulatory Review – Media Ownership

I am writing to express concern regarding possible changes in the rules governing media ownership. I wish to focus specifically on the rule that currently caps the percentage of the market controlled by any one company at 35%, and its potential impact on the free flow of information that is necessary to democracy. However, I will make the general remark in passing that further deregulation of this industry would be as little in the public interest as the slipshod oversight of the accounting industry over the past few decades.

Any company in a position to control the dissemination of news will inevitably have certain points of view and interests that they will wish to promote, and will tend to promote even if they do not formulate a conscious policy to that effect. There is certainly nothing wrong with that ****as long as there are a number of voices in the marketplace, which will ipso facto feed a variety of different biases and points of view to the public****. The point in a democracy that depends on a free press and free flow of information is not to eliminate bias, which is impossible, but to make sure that no single, nor even a small group of biases, becomes so powerful that they may dictate to and overwhelm all other points of view. It is a system of checks and balances in which the public has an opportunity to evaluate the distortions and prejudices presented by one firm's news outlets by comparing them to the distortions and prejudices presented by a number of others.

We are fortunate in living in a political system in which the government does not try to dictate what the news outlets may say. But in a commercial system like ours, in which increasingly large companies own the means by which news is made available, that danger is unfortunately replaced by the corporate world's natural tendency towards monopoly. If this tendency is allowed to prevail unbridled, we may find ourselves subject to a commercial control of public information every bit as stifling in its effects as a government-run press would have been.

Under the current 35% cap it is not only possible but likely that there will be only three mega-firms dictating the information received by the American public. It seems *prima facie* obvious that this is a perilously small margin with which to guarantee the diversity of opinion, and even of facts, available to the public. We surely don't want to make things worse by reducing that number to only two: in fact, it seems clear to me that the rule should be changed, and the cap reduced to, say, 19%.

The problem becomes worse when one considers that the firms that own the news outlets have interests in a variety of other industries (viz GE, engaged in everything from energy to finance) that will give them a powerful incentive to present various news stories in a

highly prejudiced manner (or to fail to present them at all). The larger the owning conglomerates, the more likely such conflict of interest issues become.

And one more consideration is lobbying power. If it got to the point that only two companies dominated the presentation of news – and therefore the presentation of election campaigns -- can you imagine the lobbying power they would have in Washington? They would be pretty well able to write their own tickets – which would relate to a broad array of interests in the other industries with which they are involved.

I gather that we are in a situation in which the burden of proof has been thrown onto the FCC with regard to showing that the media ownership rules are still important. Given something as important as the free dissemination of information in a democracy, I think that this state of affairs verges on the unconstitutional. Whatever the possible risks of over-regulation might be, they pale in comparison to the possible threat to democracy posed by an increasingly concentrated news system.

In conclusion, I think the following quote from writer John Brunner may be material here:

“There are two kinds of fool. One says, ‘this is old and therefore good.’ And one says, ‘this is new and therefore better.’”

Surely the idea that “we need something new” is not by itself a sufficient reason to change a system of rules. If they must be changed, let it be because we can make things better. Raising the likelihood that the information reaching the American public will eventually be filtered through the exclusive and commercial interests of a couple of giant corporations surely doesn’t fall under that heading.